

PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)  
The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

**OBJECTION DEADLINE: JUNE 7, 2021.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136.

**Application Number:** 41F 30070322

**Applicant:** JUMPING HORSE STOCK RANCH LLC  
PO BOX 1377  
ENNIS, MT 59729 1377  
MT MOONLIGHT BASIN WATER & SEWER LLC  
PO BOX 160040  
BIG SKY, MT 59716 0040

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41F 14211-00	APRIL 1, 1865
STATEMENT OF CLAIM	41F 15336-00	APRIL 15, 1883
STATEMENT OF CLAIM	41F 15345-00	MAY 1, 1888
STATEMENT OF CLAIM	41F 15348-00	OCTOBER 1, 1865

PAST USE OF WATER

WATER FROM THESE FOUR STATEMENTS OF CLAIM WAS HISTORICALLY USED TO IRRIGATE LAND ON THE JUMPING HORSE RANCH. THE FOUR WATER RIGHTS PROPOSED FOR CHANGE ARE SUPPLEMENTAL TO 13 OTHER WATER RIGHTS (17 RIGHTS TOTAL), WHICH HISTORICALLY IRRIGATED A MAXIMUM OF 770 ACRES. HISTORICAL IRRIGATION METHODS WERE FLOOD, WITH SUBSEQUENT CONVERSION OF SOME OF THE PLACE OF USE TO PIVOT IRRIGATION. TYPICAL CROPS CONSISTED OF A GRASS-ALFALFA MIX. UNDER THE PROPOSED CHANGE, NONE OF THE 17 WATER RIGHTS CAN BE EXERCISED ON THE 133.2 ACRES RETIRED FROM IRRIGATION.

THESE FOUR WATER RIGHTS WERE PREVIOUSLY SUBJECT TO CHANGE APPLICATION 41F 30031144, WHICH RETIRED 56.3 ACRES OF IRRIGATION AND 65.87 AF OF VOLUME TO PROVIDE MITIGATION FOR PERMIT 41F 30013630. THE 56.3 ACRES WERE RETIRED FROM IRRIGATION UNDER ALL 17 SUPPLEMENTAL WATER RIGHTS, LEAVING A MAXIMUM OF 713.7 IRRIGABLE ACRES.

PROPOSED CHANGE

**FLOW RATE:** 0.43 CFS                      **VOLUME:** 155.77 AC-FT                      **ACRES:** 580.50

THE APPLICANT PROPOSES TO CHANGE PARTIALLY THE PURPOSE, PLACE OF USE, AND POINT OF DIVERSION FOR STATEMENTS OF CLAIM 41F 14211-00, 41F 15336-00, 41F 15345-00, AND 41F 15348-00. A TOTAL OF 133.2 ACRES WILL BE REMOVED FROM IRRIGATION AT LOCATIONS IN THE EAST HALF OF SECTION 19, SECTION 20, THE NORTHEAST QUARTER OF SECTION 29, AND THE WESTERN HALF OF SECTION 28, ALL T5 S, R1 E, MADISON COUNTY (SEE FILE FOR MAP OF SPECIFIC ACREAGE). THE NEW PURPOSE WILL BE MITIGATION OF DEPLETIONS CAUSED BY PERMIT 41F 30070321 BY MT MOONLIGHT BASIN WATER & SEWER DISTRICT. A CONSTANT FLOW RATE OF 0.43 CFS UP TO 155.77 AF PER ANNUM WILL BE LEFT INSTREAM IN JACK CREEK BETWEEN MAY 1 - OCTOBER 31 OF EACH YEAR. THE NEW PLACE OF USE AND POINT OF DIVERSION WILL BE THE HEADGATE AT WHICH THE WATER IS LEFT INSTREAM, AT A POINT IN THE NWNESW OF SECTION 33, T5 S, R1 E, MADISON COUNTY. THE REMAINING 580.5 ACRES UNDER THESE WATER RIGHTS WILL CONTINUE IN IRRIGATION.

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